

Consumer Product Safety Commission

§ 1105.4

§ 1102.44 Applicability of sections 6(a) and (b) of the CPSA.

(a) *Generally.* Sections 6(a) and 6(b) of the CPSA shall not apply to the submission, disclosure, and publication of information provided in a report of harm that meets the minimum requirements for publication in § 1102.10(d) in the Database.

(b) *Limitation on construction.* Section 1102.44(a) shall not be construed to exempt from the requirements of sections 6(a) and 6(b) of the CPSA information received by the Commission pursuant to:

- (1) Section 15(b) of the CPSA; or
- (2) Any other mandatory or voluntary reporting program established between a retailer, manufacturer, or private labeler and the Commission.

PART 1105—CONTRIBUTIONS TO COSTS OF PARTICIPANTS IN DEVELOPMENT OF CONSUMER PRODUCT SAFETY STANDARDS

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SOURCE: 48 FR 57121, Dec. 28, 1983, unless otherwise noted.

§ 1105.1 Purpose.

The purpose of this part is to describe the factors the Commission considers when determining whether or not to contribute to the cost of an individual, a group of individuals, a public or private organization or association, partnership or corporation (hereinafter “participant”) who participates with the Commission in developing standards. The provisions of this part do not apply to and do not affect the Commission’s ability and authority to contract

with persons or groups outside the Commission to aid the Commission in developing proposed standards.

§ 1105.2 Factors.

The Commission may agree to contribute to the cost of a participant who participates with the Commission in developing a standard in any case in which the Commission determines:

- (a) That a contribution is likely to result in a more satisfactory standard than would be developed without a contribution; and
- (b) That the participant to whom a contribution is made is financially responsible.

§ 1105.3 A more satisfactory standard.

In considering whether a contribution is likely to result in a more satisfactory standard, the Commission shall consider:

- (a) The need for representation of one or more particular interests, expertise, or points of view in the development proceeding; and
- (b) The extent to which particular interests, points of view, or expertise can reasonably be expected to be represented if the Commission does not provide any financial contribution.

§ 1105.4 Eligibility.

In order to be eligible to receive a financial contribution, a participant must request in advance a specific contribution with an explanation as to why the contribution is likely to result in a more satisfactory standard than would be developed without a contribution. The request for a contribution shall contain, to the fullest extent possible and appropriate, the following information:

- (a) A description of the point of view, interest and/or expertise that the participant intends to bring to the proceeding;
- (b) The reason(s) that representation of the participant’s interest, point of view, or expertise can reasonably be expected to contribute substantially to a full and fair determination of the issues involved in the proceeding;
- (c) An explanation of the economic interest, if any, that the participant has (and individuals or groups comprising the participant have) in any